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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: G. SCHMIDMAIER et al.

Confirmation No.: 8071

Application No.: 09/801,752

Group Art Unit: 1615

Filed: March 9, 2001

Examiner: H. Sheikh

For: BIOLOGICALLY ACTIVE IMPLANTS

Attorney Docket No.: 8932-148

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FOURTH INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Pursuant to applicants' duty of disclosure under 37 C.F.R. § 1.56 and § 1.97(h), enclosed is a substitute Form PTO-1449, entitled "List of References Cited by Applicant, which lists 24 references in reverse chronological order, copies of which are enclosed for the Examiner's convenience. It is respectfully requested that these references be made of record in this application by the Examiner's completion and return of the substitute Form PTO-1449.

As this Information Disclosure Statement is being filed after receipt of the first office action on the merits, but before the mailing date of a final office action or notice of allowance, the fee for this submission pursuant to 37 C.F.R. §1.17(p) is believed to be \$180.00. Please charge this fee and any additionally required fees to Pennie & Edmonds LLP Deposit Account No. 16-1150.

Respectfully submitted,

Arthur M. Antonelli
For: Brian M. Rothery

Date November 6, 2003

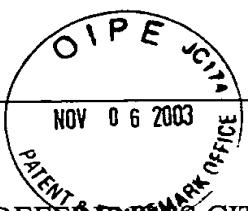
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Brian M. Rothery Reg. No. 35,340

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Enclosures

DC1:358794.1



LIST OF REFERENCES CITED BY APPLICANT
(Use several sheets if necessary)

ATTY DOCKET NO.

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U.S. PATENT DOCUMENTS

| *EXAMINER INITIAL | | DOCUMENT NUMBER | DATE | NAME | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |
|-------------------|-----|-----------------|------------|--------------------|-------|----------|----------------------------|
| | A01 | 5,906,600 | 5/25/1999 | Bähr | 604 | 265 | |
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FOREIGN PATENT DOCUMENTS

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|--|-----|-----------------|----------|---------|-------|----------|--------------------------------|-----|----|
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| | B02 | WO 89/04674 | 6/1/1989 | PCT | | | | | |
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| C01 | F. Kandziora et al., "Experimentelle Spondylodese der Schafshalswirbelsäule," <u>Der Chirurg</u> , 2002, 73:1025-1038. |
| C02 | M. Lucke et al., "Gentamicin coating of metallic implants reduces implant-related osteomyelitis in rats," <u>Bone</u> , 32 (2003), pp 521-531. |
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| C06 | T. Pufe et al., "Quantitative measurement of the splice variants 120 and 164 of the angiogenic peptide vascular endothelial growth factor in the time flow of fracture healing: a study in the rat," <u>Cell Tissue Res</u> , (2002) 309:387-392. |
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| | C15 | F. Kandziora et al., "Comparison of BMP-2 and combined IGF-1/TGF- β 1 application in a sheep cervical spine fusion model," <u>Eur Spine J</u> , (2002), 11:482-493. |
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| EXAMINER | DATE CONSIDERED |
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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